

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

LA UNIÓN DEL PUEBLO ENTERO, *et al.*,

Plaintiffs,

v.

GREGORY W. ABBOTT, *et al.*,

Defendants.

Civil Action No. 5:21-cv-844 (XR)  
(Consolidated Cases)

**[PROPOSED] ORDER GRANTING SUMMARY JUDGMENT AND ENJOINING  
ENFORCEMENT OF SECTION 5.07 AND SECTION 5.13 OF SB 1**

Upon consideration of the United States’ Motion for Summary Judgment, ECF No. \_\_\_\_, State Defendants’ Opposition Brief, ECF No. \_\_\_\_, and the United States’ Reply Brief, ECF No. \_\_\_\_, the Court concludes that there is no genuine dispute as to any material fact concerning the United States’ claim under Section 101 of the Civil Rights Act of 1964, 52 U.S.C.

§ 10101(a)(2)(B), and that the United States is entitled to judgment as a matter of law.

Therefore, the United States’ Motion for Summary Judgment is **GRANTED**.

The Court specifically concludes that Sections 5.07 and 5.13 of Senate Bill 1, codified in Sections 86.001(f) and 87.041(b)(8) of the Texas Election Code, require officials to reject mail ballot applications and mail ballots based on errors or omissions on a record or paper relating to an act requisite to voting that is not material in determining whether voters are qualified under Texas law to vote or to cast a mail ballot. Such rejections deny the statutory right to vote protected by Section 101. The Court therefore **DECLARES** that Section 5.07 and Section 5.13 of Senate Bill 1 violate Section 101 of the Civil Rights Act of 1964, 52 U.S.C. § 10101(a)(2)(B). The Court also finds that a permanent injunction of Sections 5.07 and 5.13 of Senate Bill 1 is

warranted. *See, e.g., Merritt Hawkins & Assocs. v. Gresham*, 861 F.3d 143, 158 (5th Cir. 2017) (standard); *see also, e.g., Veasey v. Abbott*, 830 F.3d 216, 269 (5th Cir. 2016) (describing “obligation” to correct violations of federal voting law). Therefore, State Defendants, their agents and successor in office, and all persons acting in concert with them are **PERMANENTLY ENJOINED** from enforcing the requirements of Section 5.07 and 5.13 of Senate Bill 1 that violate Section 101, codified as Sections 86.001(f) and 87.041(b)(8) of the Texas Election Code.

The United States and State Defendants are hereby **ORDERED** to meet and confer concerning an appropriate remedial plan and, within ten days of this Order, to file a proposed order or a joint advisory indicating points of disagreement.

It is so **ORDERED**.

Signed this \_\_\_\_ Day of \_\_\_\_\_, 2023.

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THE HON. XAVIER RODRIGUEZ  
UNITED STATES DISTRICT JUDGE